



Mid-West Planning District

Box 96, Miniota, Manitoba R0M 1M0
Ph. 204-567-3699

POLICY

Title	Property Standards Administration
Policy #	1-2017
Issue Date	April 6, 2017
Resolution	47/17
Authority	Mid-West Planning District Board and By-Laws; The Planning Act; Municipal Property Standards By-Laws; Municipal By-Laws
Repeals Policy #	n/a

Preamble: Where provisions of this policy conflict with Manitoba Provincial Acts the Provincial Act shall prevail.

SUBJECT / APPLICATION: The intent of this policy is to implement policy and procedures for the administration of the Mid-West Planning District's member municipality's Property Standards By-law (s), when requested to administer.

LEGAL AUTHORITY / RELEVANT BY-LAWS: The implementation of this policy will be by resolution of the Board of the Mid-West Planning District.

The Planning Act;

- Role of planning districts;
- 14 When a planning district is established, its board is responsible for:
 - the adoption, administration and enforcement of the development plan by-law for the entire district;
 - the administration and enforcement of:
 - the zoning by-laws of its member municipalities, or the district's own zoning by-law if it has adopted a district-wide zoning by-law under section 69,
 - any secondary plan by-law in force in the district,
 - the building by-laws of its member municipalities, and
 - the by-laws of its member municipalities dealing with minimum standards of maintenance and occupancy of buildings.

Property Standards By-laws of the member municipality requesting service.

Designated Officer by-laws of the Planning District.

Designated officer by-laws of the member municipality requesting service.

POLICY:

Request from a member municipality

The Mid-West Planning District Board shall, on request of a member municipality of the planning district, consider assuming the responsibility of the administration and enforcement of the member municipality's property Standards By-Law (s).

The request from a member municipality must be provided to the Mid-West Planning District Board in the form of a resolution from the member municipalities Council.

Mid-West Planning District reply

The Mid-West Planning District Board must consider the request from the member municipality and provide their decision in the form of a resolution.

Requirements of the member municipality requiring service

The member municipality requesting the service shall name the designated employees of the planning district in their respective designated officer by-law.

The member municipality requesting the service shall ensure that the designated employees of the planning district are named in the member municipality's insurance policy as an agent acting for the member municipality.

The member municipality requesting the service shall provide the planning district with current copies of their property standards by-laws.

Responsibilities of the member municipalities

The member municipality requesting service shall be in a position to carry out remedial actions resulting from issues of non-compliance.

The member municipality requesting service shall be in a position to remove or tow away, vehicles deemed to be in violation of their respective by-laws and to remove and/or clean up personal property deemed to be in violation of their respective by-law (s) when required.

The member municipality requesting service shall be in a position to impound vehicles or property, when required, and to store such property, when required, until the municipality approves of its disposal.

Providing service:

When all approvals and designations have been received, the staff of the Planning District, under the direction of the Development Officer/Building Official, will begin the administration of the by-laws.

Responsibilities of the Planning District

The Planning District shall enforce and administer the member municipalities supplied by-laws.

The Planning District shall take actions and administer the said by-laws when requested by the member municipality.

The Designated Office (s) of the planning district shall take actions only as specified in the member municipalities supplied current by-laws.

Initiation of action under the member municipality's by-law(s)

Whereas actions taken by the planning district will be a direct cost to the member municipality requesting service, the municipality will be required to notify the planning district when inspections are required, this may be on a specific property or specific area, such as but not limited to a settlement center, town or village.

Actions taken with the application of the of the member municipalities by-law(s) will be as follows:

- From a request of the member municipality requesting the service, or
- Where an identifiable hazard has been found, notification must be provided to the member municipality and approval be granted from the member municipality, prior to actions being taken.

Notification of the request for service will be by:

- Correspondence from the municipality carrying the signature of the Chief Administrative Officer, or
- E-mail from the municipality sent by the Chief Administrative Officer.

Complaints

Complaints received by the planning district will be required to be received in writing and carrying the signature of the complainant.

If complaints are received by the member municipality, and the municipality is requiring that the planning district act, they are to be forwarded to the planning district.

Complaints are to be acted upon by the planning district only when approved by the Chief Administrative Officer of the municipality requesting service.

Identifiable Hazards

When an identifiable hazard or a hazard to the public has been identified by a member municipality requesting service, immediate actions are to be taken by the planning district as per the applicable by-laws, regulations or Acts.

Fees for service

All costs incurred while carrying out administrative actions, the said charges are to be applied as per the applicable sections of the Fees By-Law of the Mid-West Planning District, namely;

- Inspections and Requested Inspection sections regarding mileage charges and inspection charges.
- Charges for inspections shall be applied for the administration, inspection, mileages costs, writing of reports, follow up inspections and any other related costs regarding the inspection or actions on specific file (s).

Invoicing of costs incurred

Invoicing of costs incurred is to be supplied to the member municipality in a timely manner and upon completion of specific files and when time permits by the planning district staff.

Invoicing of costs incurred in a calendar year shall be submitted to the municipality at year end.

Penalties

The municipality shall, when required, administer and apply any prescribed penalty, if applicable and as prescribed in the applicable municipal by-law.

Files

The Planning District shall formulate and retain all files in a digital form and corresponding paper files.

All files shall be made available to the member municipality on request.

The files shall be the property of the member municipality and the planning district.

Termination of Service

After giving notice, the Board may by resolution terminate their services provided to a municipality.

After giving notice, a member municipality may by resolution terminate their service agreement with the Board.

End of Policy.

This Policy has been reviewed and approved for use or implementation by the Board of the Mid-West Planning District on April 6th 2017 by Resolution 47/17.

Development Officer/Designated Officer

Chairman of the Board